**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**ORDINARY ORIGINAL CIVIL JURISDICTION**

**NOTICE OF MOTION NO.4488 OF 2006**
**IN**
**SUIT NO.2780 OF 2006**

M/s.Housing Development Finance Corporation Limited ..Plaintiff

V/s.

Mr.Shilratna Balram Jagtap and others ..Defendants

Mrs.Asha Nair i/b.M/s.Mahesh Menon & Co. for plaintiff

**CORAM : S.A.BOBDE, J.**

**DATE : 31ST JANUARY, 2007**

**P.C.**

1. On 7th November, 2006 this Court has passed an ad-interim relief in terms of prayer clause (c) except the words bracketed in red. The order empowers the Court Receiver to take possession, custody and control of the suit premises.

2. The Court Receiver has reported that when he

went to take possession the defendant was not present nor was there any one to represent the defendant. The flat was vacant. He couldnot take possession of flat No.305.

3. The learned counsel for the plaintiff prays that this Court be pleased to direct the Court Receiver for taking forcible possession of the flat in question with the help of local police. In the circumstances, the Court Receiver is directed to take forcible possession of the flat with the help of local police and report to this Court. Order accordingly.

**(S.A.BOBDE, J.)**